

REMARKS

Claim Rejections – 35 U.S.C. § 102(e)

The Examiner has rejected claims 1-9, 24, and 26 under 35 U.S.C §102(e) as being anticipated by Wong (U.S. Patent 6,432,811). A 35 U.S.C. 102(e) rejection under Wong is improper because Wong was not invented “by another.”

Applicant would like to refer the Examiner to the office action mailed on January 30, 2003 and Applicant’s response to this office action which was mailed on April 25, 2003. The Examiner cited Wong in the office action of January 30, 2003. In the response of April 25, 2003, Applicant pointed out that the Examiner’s 102(e) rejection under Wong was an improper rejection. A 102(e) rejection under Wong remains an improper rejection.

Under MPEP 2136.04, “If there is any difference in the inventive entity, the reference is “by another.”” Under *In re Land*, “another” means other than applicants, or in other words, a different inventive entity. Here, the inventive entity is the same. The patent cited by the Examiner, Wong, U.S. Patent 6,432,811, was invented by Lawrence D. Wong, of Beaverton, OR, and is assigned to Intel Corporation. Applicant of the present application, U.S. Serial No. 09/745,705, is also Lawrence D. Wong of Beaverton, OR. Therefore, U.S. Patent 6,432,811 is not a patent granted on an application for patent *by another*, and the rejection is improper.

Applicant respectfully requests the removal of the 35 U.S.C. 102(e) rejection of claims 1-9, 24, and 26 and seeks an allowance of these claims.

If there are any additional charges, please charge Deposit Account No 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN

Date: 9/2/04

Michael A. Bernadicou
Reg. No. 35,934

12400 Wilshire Boulevard
Seventh Floor
Los Angeles, CA 90025-1026
(408) 720-8300